



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 241 দিশপুৰ, বৃহস্পতিবাৰ, 20 জুন, 2024, 30 জেঠ, 1946 (শক)

No. 241 Dispur, Thursday, 20th June, 2024, 30th Jaistha, 1946 (S. E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LABOUR WELFARE DEPARTMENT

NOTIFICATION

The 20th June, 2024

ECF No. 239869/194.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following Rules further to amend The Assam Factories Service Rules, 1990 in the manner hereinafter appearing, namely: -

Short title and commencement	1.	(1) These rules may be called The Assam Factories Service (Amendment) Rules, 2024.
	(2)	They shall come into force on the date of their publication in the Official Gazette.
Amendment of rule 3	2.	(1) In the principal rules, for rule 3, the following shall be substituted namely :- “(3) The service shall consist of the following classes and cadres : Class-I : It shall include the cadres :- (i) Chief Inspector of Factories ; (ii) Additional Chief Inspector of Factories; (iii) Senior Inspector of Factories; (iv) Inspector of Factories; (v) Medical Inspector of Factories; (vi) Certifying Surgeon ; Class-II : It shall include the cadres :- Law Assistant.”

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| Amendment of rule 5 | 3. | In the principal Rules, for rule 5, the following shall be substituted, namely: - |
| “Method of Recruitment | (5) | Recruitment to the service shall be made in the manner prescribed hereinafter:- |
| | (1) | Recruitment to the cadres of Chief Inspector of Factories, Additional Chief Inspector of Factories and Senior Inspector of Factories service shall be by promotion in accordance with rule 11. |
| | (2) (a) | Recruitment to 90% of the total cadre strength of Inspector of Factories shall be made by direct recruitment in accordance with rule 6. |
| | (b) | Recruitment to 10% of the total cadre strength of Inspector of Factories shall be made by promotion from amongst the Senior Assistant / Junior Assistant of the Inspectorate of Factories, Assam in accordance with rule 11. |
| | (3) | Recruitment to the post of Certifying Surgeon, Medical Inspector of Factories and Law Assistant shall be made by direct recruitment in accordance with rule 6.” |
| Amendment of rule 6 | 4. | In the principal Rules, in rule 6, in sub-rule (1), for the first para, the following shall be substituted, namely :- |
| | “ (1) | Recruitment to the cadres of Inspector of Factories, Certifying Surgeon, Medical Inspector of Factories and Law Assistant shall be made on the basis of recommendations made by the Commission in accordance with the procedure hereinafter provided.” |
| Amendment of rule 7 | 5. | In the principal Rules, for rule 7, the following shall be substituted, namely: - |
| | “7. | A candidate for direct recruitment to the service shall be minimum 21 years and maximum 38 years or as notified by the Government from time to time, on the first January of the year of recruitment with relaxation in case of candidates belonging to special categories like Scheduled Caste, Scheduled Tribe and any other category as laid down by the Government time to time.” |
| Amendment of rule 10 | 6. | In the principal Rules, in rule 10, in the second line, in between the words punctuation mark “Factories,” and “shall” words and punctuation mark “Certifying Surgeon, Medical Inspector of Factories and Law Assistant” shall be inserted. |
| Amendment of rule 11 | 7. | In the principal Rules, for rule 11, the following shall be substituted, namely:- |
| | “ (1) | Subject to suitability as may be decided by the Board and by the Appointing Authority as set forth in rule 12 and also subject to possessing such qualification and experience as prescribed hereinafter, an officer shall be eligible for promotion from one post to another post of the service in the manner hereinafter provided, namely:- |
| | (a) | from Additional Chief Inspector of Factories to Chief Inspector of Factories; |
| | (b) | from Senior Inspector of factories to Additional Chief Inspector of Factories; |
| | (c) | from Inspector of Factories to Senior Inspector of Factories; |
| | (d) | from Senior Assistant or Junior Assistant of Inspectorate of Factories to Inspector of Factories. |

- (2) Subject to suitability, an officer shall be eligible for promotion if he possesses the qualification and experience as set forth below, namely :-
- (a) to be eligible for promotion to the post of Chief Inspector of Factories, an officer shall have to render as an Additional Chief Inspector of Factories and have at least 18 years of continuous service in the junior cadres on the 1st day of the year of promotion.
 - (b) to be eligible for promotion to the post of Additional Chief Inspector of Factories, an officer must have served at least 2 years of continuous service as Senior Inspector of Factories or must have rendered at least 15 years of continuous service in the junior cadres i.e. Inspector of Factories and Senior Inspector of Factories all together on the 1st day of the year of promotion.
 - (c) to be eligible for promotion to the post of Senior Inspector of Factories, an officer shall have rendered atleast 8 years of qualifying service in the cadre of Inspector of Factories and shall possess such academic qualification as is prescribed under rule 8.
 - (d) to be eligible for promotion to the post of Inspector of Factories from the cadre of Senior Assistant or Junior Assistant of the Inspectorate of Factories, Assam shall have rendered atleast 7 years of service as Senior Assistant or Junior Assistant in the Inspectorate of Factories, possess such academic qualification and experiences as required for direct recruitment as prescribed under rule 8 and should not have crossed 45 years of age as on the 1st day of the year of promotion.”

Amendment of
rule 12

8. In the principal rules, in rule 12,
- (i) for sub-rule (5), the following shall be substituted, namely: -

“(5) The Board shall recommend to the Appointing Authority a list of officers exactly equal to number of vacancies in order of preference, found suitable for promotion.”
 - (ii) for sub-rule (6), the following shall be substituted, namely: -

“(6) The Appointing Authority on receipt of the lists recommended by the Board shall consider the list preferred by the Board for promotion to the post of Chief Inspector of Factories, Additional Chief Inspector of Factories, Senior Inspector of Factories and Inspector of Factories alongwith character rolls and personal file of the employees and approve the list unless any change is considered necessary. If the Appointing Authority considers if necessary to make any change in the list received from the Board, he shall inform the Board of the changes proposed and after taking into account the comments, if any, of the Board may approve the list finally with such modification, if any, as may be in his opinion just and proper.”
 - (iii) in sub-rule (8), in first line, the words “ or by the Commission as the case may be” appearing in between the words “ Appointing Authority” and “shall” shall be deleted.
 - (iv) in sub-rule (9), in second line, for the words, “ the Commission or by the Appointing Authority, as the case may be”, appearing in between the word “appeared by” and the punctuation mark “.” the words “the Appointing Authority” shall be substituted.

Amendment of
rule 13

9. In the principal Rules, for rule 13, the following shall be substituted, namely: -

“13. Selection Board: The Board for considering promotion to the posts of Chief Inspector of Factories, Additional Chief Inspector of Factories, Senior Inspector of Factories, and to the Inspector of Factories from the cadre of Senior Assistant or Junior Assistant of the Inspectorate shall consist of the following members, namely: -

(i)	Senior Most Secretary of the Labour Welfare Department.	Chairman
(ii)	Joint Secretary or Deputy Secretary of Labour Welfare Department	Member Secretary
(iii)	Commissioner and Secretary of Personnel Department or his nominee not below the rank of Deputy Secretary	Member
(iv)	Chief Inspector of Factories, Assam	Member :

Provided that in the event of promotion to the post of Chief Inspector of Factories, the Chief Inspector of Factories shall not be member of the Selection Board.”

Amendment of
rule 14

10. In the principal Rules, for rule 14, the following shall be substituted , namely: -

“(1) No person shall be eligible for appointment to the Service,-

- (a) unless he is a citizen of India ;
- (b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living :

Provided that the Governor may if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause.

- (c) if he has more than two children living;
- (d) if he has violated the legal age of marriage.

(2) No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the service.”

Amendment of
rule 20

11. In the principal Rules, in rule 20, for the words “and Rule 12 and also in the respective list finally approved by the Appointing Authority under sub-rule (6) (b) of Rule 12 and approved by the Commission under sub-rule (6) (b) (ii) of rule 12” appearing in between the words “rule 6” and “if he joins” the words, “approved by the Appointing Authority under rule 12” shall be substituted.

Amendment of
Schedule I

12. For the existing Schedule-I, the following shall be substituted, namely: -

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Schedule-I <i>(See rules 4 and 23)</i> (Strength of each cadre of the service and Pay Scale as per ROP, 2017)			
	Categories of post	Time scale of pay	No. of post
	1	2	3
	<u>Engineering cadre</u>		
1.	Chief Inspector of Factories	Rs.30,000 – 1,10,000/- GP-15,700/-	1
2.	Additional Chief Inspector of Factories	Rs.30,000 – 1,10,000/- GP-14,500/-	3
3.	Senior Inspector of Factories	Rs.30,000 – 1,10,000/- GP-13,900/-	4
4.	Inspector of Factories	Rs.30,000 – 1,10,000/- GP-12,700/-	21
	<u>Health cadre</u>		
5.	Medical Inspector of Factories	Rs.30,000 – 1,10,000/- GP-12,700/-	1
6.	Certifying Surgeon	Rs.30,000 – 1,10,000/- GP-12,700/-	3
	<u>Legal cadre</u>		
7.	Law Assistant	Rs.22000-87000/- GP-11,800/-	1

”

Amendment of
Schedule - II

13. For the existing Schedule-II, the following shall be substituted ,namely: -

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Schedule-II <i>(See rule 8)</i> (Qualification and experience prescribed for Direct Recruitment)			
Sl. No.	Category of post	Academic Qualification	Experience
1.	Inspector of Factories	Degree in any branch of Engineering preferably Mechanical, Chemical or Electrical Engineering.	Practical experience of two years in a workshop or a manufacturing concern of good standing.
2.	Certifying Surgeon	Degree in Medicine (Preferably with Diploma in Industrial Hygiene or Diploma in Public Health)	Experience of at least two years in Public Hospital or a factory in Medical Department.
3.	Medical Inspector of Factories	Degree in Medicine (Preferably in Industrial Hygiene or Diploma in Public Health)	Experience of at least two years in public hospital or a factory in Medical Department.
4.	Law Assistant	Degree in Law from a recognized university.	Two years of experience in legal practice in any court.

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BALLEPU KALYAN CHAKRAVARTHY,
Principal Secretary to the Government of Assam,
Labour Welfare Department.